

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EMMANUEL ASHEMUKE,

Petitioner,

v.

ICE FIELD OFFICE DIRECTOR,

Respondent.

Case No. C23-1592-RSL

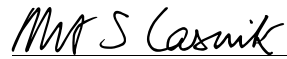
ORDER DENYING MOTION FOR
RECONSIDERATION

This matter comes before the Court on petitioner's *pro se* "Motion to Reconsider Motion to Enforce." Dkt. # 64. Pursuant to LCR 83.2(b)(5), a party who is represented by an attorney of record in a case cannot act on his own behalf and must rely on the attorney unless he requests by motion to proceed *pro se* and the Court terminates the representation. Although petitioner's *pro se* filing violates the rules of this district, the Court has nevertheless considered whether reconsideration is appropriate under LCR 7(h). It is not. Petitioner has not shown either manifest error in the prior ruling or new

1 facts or legal authority that could not have been brought to the Court's attention before
2 the prior ruling issued.¹
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4 For all of the foregoing reasons, petitioner's motion to for reconsideration
5 DENIED.
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7 Dated this 25th day of October, 2024.
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10 Robert S. Lasnik
United States District Judge
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20 ¹ Petitioner relies on *Zadvydas v. Davis*, 533 U.S. 678 (2001), for a number of propositions, including the argument
21 that a finding of dangerousness cannot stand in the absence of other special circumstances, such as mental illness
22 that helps create the danger. *See* Dkt. # 64 at 3. The Court is very familiar with *Zadvydas* because it upheld what the
23 undersigned did in one of the companion cases, *Kim Ho Ma v. I.N.S.*, 56 F. Supp. 2d 1165, 1166 (W.D. Wash.
1999). Those cases involved *indefinite* detention, where the apparatus for accomplishing deportation did not exist.
Because there is no fixed or structural impediment to deportation here, the "special circumstances" language does
not apply and a finding of continuing dangerousness can justify a lengthy detention.